

OPINION
51-135

August 14, 1951 (OPINION)

PRINTING

RE: Payment

Your letter dated August 10, 1951, addressed to this office has been received.

You state that on June 5, 1951, your office billed the Aeronautics Department for 1700 Airport Directories. The printing job was done under a third class contract held by the Knight Printing Company which was sublet to the Conrad Publishing Company of Bismarck. During the process of the job the printer sent a statement for the composition to the Department of Aeronautics for \$800 for composition. You further state that the Aeronautics Department now feels that they should pay for the composition only the amount billed on the unfinished job. As state printer you actually found and certified a different amount. The certified amount is correct according to the contract schedules.

Our supreme court has stated in reference to the printing laws that "when such a contract was let that contract should control all of the printing of the particular class covered by the contract during the period specified therein."

It is our opinion that the final submitted bill by the Knight Printing Company as contractor, upon examination and certification by you as state printer, must be paid as certified.

We are returning herewith the attached billing records which you submitted for our consideration.

ELMO T. CHRISTIANSON

Attorney General